

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
APRIL 5, 1961

This regular meeting of the City Council of the City of Lodi held beginning at 8:00 p.m. of Wednesday, April 5, 1961. Councilmen Brown, Katzakian, Mitchell, Ullmann and Culbertson (Mayor) present; none absent.

Also present: City Manager Graves, City Attorney Mullen, Administrative Assistant Carlton and Planning Director Rodgers.

MINUTES                      Minutes of March 15, 1961 and March 21, 1961 were approved as written and mailed on motion of Councilman Brown, Katzakian second.

PUBLIC HEARINGS

REYNOLDS ADDN.      Notice thereof having been published in accordance  
ANNEXATION              with law, Mayor Culbertson called for public hearing on the proposed annexation of the Reynolds Addition with M Industrial zoning. The Planning Commission recommended that the property be annexed with M Industrial zoning. There were no protests, written or oral. On motion of Councilman Katzakian, Mitchell second, the City Council introduced Ordinance No. 690 annexing the Reynolds Addition with M Industrial zoning, by reading of title only and waiving reading of the ordinance in full.

SANTA FE & SP      Mayor Culbertson then proceeded with the continuation of the hearing on the proposals of Southern Pacific Company and of Santa Fe for control of the Western Pacific Railroad. Hearings before the Interstate Commerce Commission are to start in June and each company is requesting a petition of intervention on its behalf to be presented to the ICC. Mr. Fred Dosch, Superintendent of the Pacific Fruit Express Company, spoke on behalf of Southern Pacific, stating that if Santa Fe were to acquire Western Pacific the future of Pacific Fruit Express would be jeopardized. The PFE has served this area for many years with refrigerator cars, but would lose this business if Santa Fe were to control WP since Santa Fe has its own refrigerator cars. After considerable discussion as to the appropriateness of having the matter before the Council and the desirability of having competition among the railroads, the Council by unanimous vote adopted Resolution No. 2432 recommending to the Interstate Commerce Commission that if it is necessary for either SP or Santa Fe to control the Western Pacific, that the ICC make a decision that will be to the public interest and welfare and will make the railroads competitive as well as efficient.

SHOPPING              Notice thereof having been published in accordance  
CENTER ZONING              with law, the Mayor called for hearing on the proposal to amend the zoning ordinance to permit the development of shopping centers outside the Central Business District. There were no written comments. Mr. William A. Ford, public relations man for development of shopping centers, spoke

HEARING  
CONTINUED

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in favor of the amendment, stating that it was a constructive step in that it would give the Planning Commission a wider scope in development of shopping centers and would also discourage speculative type of development. Mr. Ford intends to submit plans for a 15-acre shopping center if the amendment is adopted. In reviewing the uses permitted it was noted that department stores were not included. The Council also discussed the advisability of increasing the two-acre minimum area requirement and the wording of Paragraph 2 on uses permitted. Councilman Katzakian moved that the hearing be continued to the meeting of April 19 and that the Planning Commission review and consider the inclusion of department stores in the permitted uses, clarification of Paragraph 2 on permitted uses, and increasing the minimum site area requirement for the proposed zone. The motion was seconded by Councilman Brown and carried. The City Manager suggested that a joint meeting with the Planning Commission might be useful in clarifying objectives.

#### COMMUNICATIONS

GAS TAX PROGRAM	Letter from Mr. J.G. Meyer, District Engineer, Division of Highways, urging the City to accelerate the gas tax street construction program in order to help relieve the unemployment situation.
MAYER ADDN. RES. NO. 2433 ADOPTED	Petition from Maurice O. Ray, Jr., for annexation of property to be known as the Mayer Addition. The boundaries thereof were approved by the County Boundary Commission on April 3, 1961. On motion of Councilman Brown, Mitchell second, the City Council adopted Resolution No. 2433 declaring its intention to annex the Mayer Addition and setting public hearing thereon for May 17, 1961.
ABC LICENSES	<p>Notices of application for transfer of alcoholic Beverage licenses:</p> <ol style="list-style-type: none"> <li>1. Transfer On Sale Beer and Wine, Lawrence McGrath, Lillian McGrath and Floyd Schnell, 27 Club, 27 North Sacramento Street.</li> <li>2. On Sale Beer and Wine, Frank Migliardi, Millicent Migliardi and Frank G. Poletti, Isle of Capri, 5 East Elm Street.</li> </ol>
BONDING BROCHURE	Notice of receipt of the brochure "The California Bonding Picture-Past, Present and Future" from Bert A. Betts, State Treasurer.
CD HOSPITAL DEMONSTRATION	Invitation from Mayor Culbertson to the public to attend the Civil Defense Emergency Hospital demonstration to be held at the Grape Festival Grounds on April 12 between 10 a.m. and 9 p.m.

#### REPORTS OF THE CITY MANAGER

CLAIMS	Claims amounting to \$114,260.46 were approved on motion of Councilman Brown, Katzakian second.
AWARD - POLICE CARS	The City Manager presented tabulation of bids on four police cars, bids being received on both the standard and police-type cars. The bids were as follows:

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		<u>Standard</u>	<u>Police</u>
RES. NO. 2434	Weil Motors	\$ ---	\$4,784.92
ADOPTED	Loewen Auto Co.	5,528.32	4,956.98
	Krieger Motor Co.	5,325.03	---

On motion of Councilman Katzakian, Mitchell second, the Council adopted Resolution No. 2434 awarding the contract for four police cars to Weil Motors as the lowest and best bid.

SPECS -  
FRONTAGE RD  
STORM DRAIN

Mr. Glaves then presented the specifications for the frontage road storm drain between Victor Road and Eden Street. The specifications include both precast and cast-in-place pipe. The specifications were approved and call for bids authorized on motion of Councilman Katzakian, Ullmann second.

ACCEPT STS IN  
BENSON NO. 2

The City Manager read a report from the Department of Public Works that Capell Drive, Walnut Street, Jackson Street and Lodi Avenue in Benson Manor No. 2 were ready for acceptance by the City. Councilman Brown moved the adoption of Resolution No. 2435 accepting the above-named streets in Benson Manor No. 2 as public streets. The motion was seconded by Councilman Mitchell and carried.

POR. EASEMENT  
ABANDONED AT  
708 W. LODI

In regard to the easement exchange at 708 West Lodi Avenue which had been approved by the City Council at its meeting of March 15, 1961, the City Manager stated that an easement deed had been received for the 10 feet south of the original easement and it was in order for the Council to abandon the north 10 feet. On motion of Councilman Mitchell, Brown second, the Council ordered the abandonment of the north 10 feet of an easement at 708 West Lodi Avenue, with Councilman Katzakian abstaining from voting because of possible direct interest.

PENSION FUND  
SEPARATION  
RESERVE

City Manager Glaves read a recommendation from the Pension Board that the Separation Reserve for 1960 be distributed to the members of the retirement system at the rate of \$50.00 per member. The total amount of the reserve is \$9,021.71 and its distribution to 173 employees at \$50 each would be \$8,650.00, leaving \$371.71 in the reserve. Councilman Mitchell moved that the Separation Reserve in the Pension Fund be distributed as recommended. The motion was seconded by Councilman Katzakian and carried.

ADDITIONAL  
FUNDS FOR  
12 KV PROJECT

Mr. Glaves recommended that funds be transferred in the Utility Department budget, explaining that the 12 KV change-over has been proceeding so rapidly that funds allocated for this project have been exhausted. Work on the change-over has also resulted in an underrun of approximately \$26,000 in the department's operating budget. There was \$100,000 allocated in this year's budget for the change-over; however, an additional \$50,205 will be required to the end of the fiscal year. Therefore, it is proposed that for this project \$22,780 be transferred in the current Utility Outlay budget, that an additional \$1,220 be appropriated from the Utility Outlay Reserve Fund, and that \$26,205 in the Utilities Department operating

ORD. NO. 691  
INTRODUCED

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budget be transferred to Utility Outlay. The City Manager stated that an ordinance would be required to transfer funds from the operating budget to the Utility Outlay Reserve. Councilman Katzakian moved that the additional funds and the transfers above mentioned for the 12 KV change-over be approved and that Ordinance No. 691 transferring \$26,205 from the Utilities Department operating budget to the Utility Outlay Reserve be introduced. The motion was seconded by Councilman Brown and carried by unanimous vote.

LIPELT  
LEASE

A lease with R.M. Lipelt for a portion of the City's Lake property along the water's edge in the area of Mr. Lipelt's trailer court was presented for consideration by the Council. Since the people at the trailer court are on City property when they use this area and since it would be difficult to prevent them from trespassing, it would appear advisable to lease the area to Mr. Lipelt, and the City Manager so recommended. On motion of Councilman Katzakian, Brown second, the Council approved the lease with Mr. Lipelt and authorized the City Manager to execute it on behalf of the City.

## ORDINANCES

RECORD MINOR  
SUBD. MAPS

ORD. NO. 689  
ADOPTED

ORDINANCE NO. 689, entitled "AMENDING PARAGRAPH (b) OF SECTION 22-4 AND PARAGRAPH (a) OF SECTION 22-5 OF THE CODE OF THE CITY OF LODI AND THEREBY REQUIRING RECORDATION OF MAPS FOR MINOR SUBDIVISIONS", having been introduced at the regular meeting of March 15, 1961, was brought up for passage on motion of Councilman Brown, Katzakian second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, KATZAKIAN, MITCHELL,  
ULLMANN and CULBERTSON

NOES: Councilmen - NONE

ABSENT: Councilmen - NONE

CIVIC  
CENTER

## ADDENDUM

Councilman Katzakian asked the status of negotiations for the four lots on the south side of Elm Street which the City requires for its Civic Center. City Manager Graves stated that he has been in touch with the property owners but that none have been receptive to the City's offer. Councilman Katzakian moved that the City Manager write to the property owners and ask for a decision by May 3, 1961 and if negotiations were not started by that date that condemnation proceedings be started. Motion was seconded by Councilman Mitchell and passed by unanimous vote.

## ELECTION OF MAYOR AND MAYOR PRO TEMPORE


CULBERTSON &  
KATZAKIAN  
RE-ELECTED

This being the time to elect a mayor for a one-year term in accordance with Resolution No. 1524, the City Clerk called for nominations for the office of Mayor. On motion of Councilman Katzakian, Mitchell second, Mayor Culbertson was nominated for re-election. Nominations were then

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closed and Mayor Culbertson was re-elected by unanimous vote. Councilman Brown, Ullmann second, nominated Councilman Katzakian for re-election as Mayor pro tempore. Nominations were then closed and a unanimous vote cast for Councilman Katzakian.

There being no further business, the meeting adjourned on motion of Councilman Katzakian.

  
ATTEST: BEATRICE GARIBALDI  
City Clerk